

MARK WRAY, #4425  
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Attorney for Petitioning Creditor  
BRADLEY J. BUSBIN, AS TRUSTEE  
OF THE GONZALES CHARITABLE  
REMAINDER UNITRUST ONE

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

Case No. BK-S-18-12454-LEB

DESERT LAND, LLC,

Chapter 11

Debtor. /

In re

(Jointly Administered with  
BK-S-18-12456-LEB,  
BK-S-18-12457-LEB, and  
BK-S-18-12458)

DESERT OASIS APARTMENTS, LLC,

Debtor.

In re

**DECLARATION OF MARK WRAY  
IN SUPPORT OF MOTION FOR  
APPOINTMENT OF CHAPTER 11  
TRUSTEE**

DESERT OASIS INVESTMENTS, LLC,

Debtor.

In re

Hearing Date: August 28, 2018  
Hearing Time: 9:30 a.m.

SKYVUE LAS VEGAS, LLC,

Debtor.

1 I, Mark Wray, declare:

2 1. My name is Mark Wray and I am the attorney for Petitioning Creditor  
3 Bradley J. Busbin, as Trustee of the Gonzales Charitable Remainder Unitrust One.

4 2. I am also the attorney for Tom Gonzales in cases filed in the U.S. District  
5 Court for the District of Nevada *Gonzales v. Shotgun Investments Nevada, LLC, et al.*,  
6 Case No. 2:13-cv-00931-RCJ-VPC and *Gonzales v. Desert Land, LLC et al.*, Case No.  
7 2:15-cv-00915-RJC-VPC.

8 3. Attached as Exhibit 1 is a true and correct copy of excerpts of the  
9 deposition I took of Howard Bulloch on October 20, 2015.

10 4. Attached as Exhibit 2 is a true and correct copy of the Judgment and  
11 Memorandum filed by the Bankruptcy Appellate Panel on March 31, 2004 in BAP No.  
12 NV-03-1255-KRyB, which was admitted as Trial Exhibit 3 in Case No. 2:15-cv-00915-  
13 RCJ-VPC.

14 5. Attached as Exhibit 3 is a true and correct copy of the 2003 *Desert Land's*  
15 *Second Amended Plan of Reorganization*, which was admitted as Trial Exhibit 2 in Case  
16 No. 2:15-cv-00915-RCJ-VPC, of which I respectfully request the Court to take judicial  
17 notice.

18 6. Attached as Exhibit 4 is a true and correct copy of excerpts of the  
19 transcript of the hearing on November 28, 2011 hearing in Case No. 3:11-cv-00613-  
20 RCJ-VPC containing statements made by Lenard Schwartzer.

21 7. Attached as Exhibit 5 is a true and correct copy of excerpts of the  
22 deposition of Wayne Perry in Case No. 3:11-cv-00613-RCJ-VPC dated September 11,  
23 2012.

24 8. Attached as Exhibit 6 is a true and correct copy of the excerpts of the  
25 deposition I took of Wayne Perry on October 28, 2015.

26 9. Attached as Exhibit 7 is a true and correct copy of excerpts of the  
27 deposition of Wayne Perry dated April 18, 2014.  
28



**CERTIFICATE OF SERVICE**

The undersigned employee of the Law Office of Mark Wray certifies that a true copy of the foregoing document was served via the Court's ECF System on July 23, 2018 to the following:

ANTHONY W. AUSTIN on behalf of Creditor THE NORTHERN TRUST COMPANY

[aaustin@fclaw.com](mailto:aaustin@fclaw.com), [gkbacon@fclaw.com](mailto:gkbacon@fclaw.com)

JAMIE P. DREHER on behalf of Petitioning Creditor BRADLEY J. BUSBIN, AS TRUSTEE OF THE GONZALES CHARITABLE REMAINDER UNITRUST ONE

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MICHAEL N FEDER on behalf of Creditors BARON H. WINDHAM JR., IRA, DONDERO SURVIVORS TRUST, GREGG S. LAWRENCE SUBTRUST OF CLIFFORD LAWRENCE AND CAROLYN LAWRENCE REVOCABLE FAMILY TRUST DTD 9/30/96, JAMES C. CHACHAS TRUST, JONANNA POLLARD LIVING TRUST, LEWIS ROY SHER LIVING TRUST, PATRICK AND CLARA CARMEN DERMODY FAMILY TRUST, SHER DEVELOPMENT, LLC, TERRY L. BELL IRREVOCABLE TRUST, THE FRANK ARMINIO AND MARY ARMINIO REVOCABLE LIVING TRUST, THE JOE P. SCHWAN FAMILY TRUST, THE JOSEPH D. EYSTAD AND MARY ANN ARMINIO REVOCABLE TRUST DATED 09/03/03, THE NEWBY 1984 TRUST, THE PAUL L. GARCELL AND PAMELA HERTZ REVOCABLE FAMILY TRUST, VERONICA C. WOLF TRUST, VIVIAN A. WEBER LIVING TRUST, WALTER BROELAND AND CAROL BROELAND REVOCABLE TRUST, YARG, LLC, ANDREA DEANEAN GLENN, ANGELO JOHN ARMINIO, BESSIE CHACHAS, CATHERINE WAGNER, GEORGE CHACHAS, HELEN L. PEABODY, JAMES P. PEABODY, JANINE MARSHALL, LINDA JEAN LUND, MACK CLAYTON, MARK E. JONAH, TERRY WAGNER, TRACY L. CLAYTON, and WILLIAM MARSHALL

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EDMUND GEE on behalf of U.S. Trustee U.S. TRUSTEE - LV - 11, 11

[edmund.gee@usdoj.gov](mailto:edmund.gee@usdoj.gov)

1 JUSTIN J. HENDERSON on behalf of Creditor JUNIPER LOAN SERVICING  
2 CORPORATION

3 [jhenderson@lrrlaw.com](mailto:jhenderson@lrrlaw.com), [cscruggs@lrrlaw.com](mailto:cscruggs@lrrlaw.com)

4 BRIGID M. HIGGINS on behalf of Creditors SHOTGUN CREEK FAMILY  
5 INVESTMENTS, LLC, SHOTGUN CREEK INVESTMENTS NEVADA, LLC,  
6 SHOTGUN CREEK INVESTMENTS, LLC, and SHOTGUN CREEK LAS  
7 VEGAS, LLC

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9 ERIC R OLSEN on behalf of Interested Party WASH MULTIFAMILY  
10 LAUNDRY SYSTEMS, LLC

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12 LENARD E. SCHWARTZER on behalf of Creditor DESERT OASIS  
13 APARTMENTS, LLC

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15 LENARD E. SCHWARTZER on behalf of Debtors DESERT LAND, LLC,  
16 DESERT OASIS APARTMENTS, LLC, DESERT OASIS INVESTMENTS,  
17 LLC

18 and SKYVUE LAS VEGAS, LLC

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20 LENARD E. SCHWARTZER on behalf of Jnt Admin Debtors DESERT OASIS  
21 APARTMENTS, LLC, DESERT OASIS INVESTMENTS, LLC and SKYVUE  
22 LAS VEGAS, LLC

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26 MARK M. WEISENMILLER on behalf of Interested Party WASH  
27 MULTIFAMILY LAUNDRY SYSTEMS, LLC

28 [mweisenmiller@gtg.legal](mailto:mweisenmiller@gtg.legal), [bknotices@gtg.legal](mailto:bknotices@gtg.legal)

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*/s/ Theresa Moore*